



# CITY OF KLAMATH FALLS EMPLOYEE HANDBOOK

**This Employee Handbook belongs to:**

\_\_\_\_\_

**My Supervisor is:**\_\_\_\_\_

**My Director is:**\_\_\_\_\_



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Mayor & Council

Nathan Cherpeski,  
City Manager

Joanna Lyons-Antley,  
City Attorney

Nathan Ratliff,  
Muni Court Judge

Brooke Marshall,  
Support Services Dir.

Dave Henslee,  
Police Chief

Mark Willrett,  
Public Works Dir.

John Barsalou,  
Airport Dir.

Tech Services

Human Resources

Utility Billing

Finance

City Recorder

Muni Court

Police

Code Enforcement

Dev. Services

Streets/Fleet

Wastewater

Water

Maintenance

Parks

Business

Operations

# I. OVERVIEW

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## A. Introduction

Dear Employee,

As the City Manager, I would like to welcome you to our employee family. At the City of Klamath Falls, we are a values driven workforce. Values form the first pillar of the employee experience. Employees are asked to make decisions within their area of influence based not only on our policies and procedures, but on our values. These values are commonly referred to as “rCity”, which is an easy way to remember...Respect, Communication, Integrity, Teamwork, and Family. You will see them mentioned often in this handbook. You will see other employees demonstrating them often.

Goals are the second pillar of your employee experience. The City is driven by goals designed to support the Vision and Mission given us by the City Council as representative of the citizens of the City. You will have individual goals that support those of your Department and the City.

Customer Service is the third and final pillar. All employees are expected to treat our Citizens as valued customers. In your daily activities you are encouraged to think of ways that will delight the customer while still remembering we must work within the policies, procedures, and legal guidelines for a public entity. It is often the kind word, or the extra effort to help that can make a difference.

We are excited you have joined the City and look forward to a long and productive work relationship.

Sincerely,

Nathan Cherpeski  
City Manager

## B. History

The City of Klamath Falls was incorporated on May 18, 1905. It is run by a Manager/Council system. The City Council is made up of five elected officials and an elected Mayor. The Council and Mayor select the City Manager, who is responsible for the daily activities of City business.

The City of Klamath Falls is a full service city and provides some services just within the boundaries, and others both in and out of the City. Included are police protection, drinking water, wastewater treatment, geothermal and street lighting utilities, engineering, parks, cemeteries, street construction and maintenance, and community planning services.

### **Vision:**

The City of Klamath Falls is a vibrant, cohesive community built on a strong economic base which balances urbanization with its existing historic character and values.

### **Mission:**

To further the vision, the City provides essential services and infrastructure to promote the social and economic health of the community. The role of the City Council is to provide the leadership necessary to fulfill this mission. The role of City Employees is to provide the workmanship necessary to provide these services with excellence and pride.

### **rCity Workplace Values:**

**Respect:** We give and earn respect through shared appreciation of the accomplishments and efforts of our employees. "Treat others as you want to be treated."

**Communication:** We strive to have 360° communication throughout our departments and divisions to maintain consistency, provide clear expectations and keep everyone informed. "Better informed employees make a better team."

**Integrity:** We practice integrity by meeting our commitments and standing by our word. "Do the right thing even when no one is looking."

**Teamwork:** Through teamwork we build camaraderie; enabling us to enjoy our workplace as we strive to achieve common goals. "The strength of the team is each individual member... the strength of the citizen is the team."

**family:** We recognize the importance of balancing work and family to maintain a loyal and dependable workforce. "Understanding we work to live, not live to work."



## C. About this Handbook

This Employee Handbook is a guide to our employment provisions and expectations. It outlines many of the programs and benefits that affect you as an employee of the City of Klamath Falls. Nothing in this Handbook is meant to limit the discretion of the City in managing and supervising employees and we reserve the sole discretion and right to amend, delete, or otherwise revise the Employee Handbook at any time.

The City may add to the policies in this handbook or revoke or modify them from time to time. The City will try to keep the manual current, but there may be times when policy will change before this handbook can be revised. Significant changes to the handbook will be communicated to employees as soon as possible. Human Resources will maintain the most current revision of this Handbook on the intranet and it is the employee's responsibility to update their own Handbook with the revisions.

Please be aware that any oral statements or representations cannot change or alter the provisions of the Employee Handbook. Except for the contracts with the employees supervised by City Council and collective bargaining agreements, all previously issued handbooks as well as policies, memos, and verbal or written agreements that are in conflict with its provisions and any inconsistent policy or benefit statements will be superseded as of that date. While this Handbook is distributed to all employees of the City, certain employment policies and practices may be different or will not apply to those working in exempt positions per the Fair Labor Standards Act (FLSA), part-time positions, represented positions, or temporary positions.

By its nature, this Handbook contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications or exceptions to the general policies and procedures of the City. The information provided in this Handbook is based on the belief that common sense, good judgment, respect and consideration for the rights of others are paramount to our ability to serve our citizens and ourselves. We have tried to anticipate many of your questions, but in no way do we believe that this document will provide every answer. For that reason, if you have any questions concerning eligibility for a particular benefit, or the applicability of a policy or practice to you, you should address your specific questions to your manager. For the purposes of this handbook, "manager" means either a manager or supervisor to whom you report. Managers are encouraged to consult with Human Resources to maintain consistency of interpretation.

The City recognizes that employees differ in their skills, goals, perceptions, and values. Conditions and conflicts may arise because of that diversity; and those conditions and conflicts may not be sufficiently addressed within this Handbook. When that occurs, the City management will endeavor to make decisions that are fair and equitable; while at all times ensuring that the best interests of the City are served.

*Neither this Handbook nor any other City document, confers any contractual right, either express or implied, to remain in the City of Klamath Falls' employ. Neither does it guarantee any fixed terms and conditions of your employment. Your employment is not for any specific time and may be terminated by the City, or you may resign with or without reason or notice at any time.*

Some subjects described in this Handbook such as benefit plan information are covered in detail in official policy documents. You should refer to these documents for specific information, since this Handbook only briefly summarizes those benefits. Please note that the terms of the written insurance policies or coverage documents are controlling.

In addition to the policies outlined in this handbook, City of Klamath Falls has administrative policies and procedures not related to personnel that are posted on the intranet. You should familiarize yourself with those policies.

You are encouraged to offer suggestions for improvement to this Handbook, procedures, employment practices or working conditions. Please read through this Handbook carefully. You may want to share it with your family members so that they will also understand your work environment. Should you have additional questions, or need further detail, please talk with your manager who can advise you or refer you to the appropriate resource.

If you have any concerns regarding your employment with the City, please discuss this with your manager. We want your experience with us to be challenging, rewarding, and enjoyable.

#### D. Employment Relationship

As an employee of the City of Klamath Falls, you are engaged in an "at will" employment relationship. This means that either you or the City may terminate the employment relationship at any time with or without reason or notice. Our at-will provision extends to all employees unless otherwise exempted by a collective bargaining agreement. The Corrective Action guidelines are subordinate to the employment at-will policy.

Except for those employees supervised by City Council and collective bargaining agreements, no one other than the City Manager has the authority to enter into any employment agreement contrary to the provisions outlined in this Handbook and the Handbook cannot be altered except in writing and signed by the City Manager. The City is also not bound by any oral promises concerning your length or conditions of employment.

#### E. Terms of Employment

It is the goal of the City to fill employment vacancies with the most qualified applicants, whether recruiting internally or externally. Job applicants will be considered on an equal basis for all positions without regard to age, disability, race, color, national origin, religion, sex, sexual orientation, military status, association with citizens of a protected class, marital status,

injured worker status, non-supervisory family relationships, or any other protected class or work relationship recognized under Oregon or federal law.

Our policy is to always try to select the most qualified person for each available job; we recognize current employees' experience and familiarity with the City as an important qualification, and we encourage current employees to apply for openings in which they are interested. Usually, you must have completed your initial introductory period before transferring to a new position, and to be eligible for a transfer, you may not be under any disciplinary action.

You may from time to time be temporarily transferred or assigned to perform work outside of your regular job classification, schedule, shift or department. Depending upon the circumstances, when transferred, you may be subject to a corresponding wage adjustment.

**Hiring of Relatives**-Relatives of current employees or individuals involved in a romantic relationship with a current employee are eligible for hire at the City subject to the same selection process and job requirements and will be evaluated in the same manner as any other applicant. However, persons will not be hired or promoted into positions in which one family member (as defined by Oregon law) or person involved in the romantic relationship, would fall under the direct line of supervision of the other family member.

## F. New Employees, Promotions and Transfers

### **New Employee Orientation**

In order to help you fit into the City's operations, and to ensure new employees quickly have a productive and satisfying employment relationship, managers are responsible for ensuring that all new employees are scheduled for a general orientation organized by the Human Resources staff within the first week of employment. Your manager may provide a detailed job-specific orientation.

### **Introductory Period**

As a new employee, you are hired into an introductory training period which generally lasts six months. The introductory period is an extension of the employee selection process. During this period, you are considered to be in training and under observation and evaluation by your manager. Evaluation of your adjustment to work tasks, conduct and other work rules, attendance and job responsibilities will be conducted during the introductory period. This period gives you an opportunity to demonstrate satisfactory performance for the position, and also provides an opportunity to determine if your knowledge/skills/abilities (KSAs) and the requirements of the position match. It is also a chance to decide if we meet your expectations as an employer.

At or before the end of the introductory period, a decision about your employment status will be made. If you successfully complete the introductory period, you may be moved to regular status. If your KSAs border on satisfactory but fall short of expectations, the introductory period may be extended if there is reason to believe that your KSAs will improve within a reasonable amount of time. If expectations are not met or demonstrated, and/or KSAs are not satisfactory, it is unlikely that employment will be continued.

Employment may be terminated at any time and for any reason during this period at the discretion of the Manager or yourself, should either party regard it as necessary or appropriate. Completion of the introductory period does not alter the "at will" employment relationship. Employees will accrue, but not be eligible to use vacation leave benefits during this period, unless specifically agreed upon in advance by the manager.

### **Promotions and Transfer Training Period**

The City encourages upward mobility and will consider employees for promotions as opportunities develop, or vacancies occur. Your annual performance evaluation is an excellent time for you to discuss your career interests with your manager.

If you are promoted or transferred to a new position, you must also complete a reasonable period of training to determine the suitability of the placement and your ability to satisfactorily perform the required work. If it is determined that the job change is unsatisfactory during this period, you may be returned to your original job; you may be assigned to another vacant position, or you may be terminated. If you are placed in a job other than your original job, the pay and benefits may also be adjusted.

### **Employment Classifications**

The status of each employee's position is placed into distinct classifications for benefits and other employment conditions and to aid in a better understanding of employment relationships within the City.

The following status definitions apply:

1. **Introductory Employment** - Newly hired or promoted employees within the introductory period.
2. **Benefits-eligible** - Qualified employees who are hired into regular full-time or regular part-time (as defined below) positions. Temporary, On-Call, and Regular Part-Time-No Benefit (NB) employees do not receive benefits or compensation other than wages.
3. **Regular Full-time** - An employee who has successfully completed the introductory employment period and is regularly scheduled to work 40 hours or more per week. Benefits-eligible.

4. **Regular Part-time NB** - An employee who has completed the introductory period and is regularly scheduled to work less than 25 hours/week. No benefits.
5. **Interns** – Interns are not eligible for any benefits.
6. **Temporary** - An employee who is hired for a specified period of time. Generally, temporary employees will not work more than 599 hours during a calendar year. No benefits.
7. **On-Call** - An employee who does not have a set schedule and works only when called upon. Generally, On-Call employees will not work more than 599 hours during a calendar year. No benefits.
8. **Regularly Scheduled** - Calculated as the average number of hours per week, when averaging a calendar year.

Positions are further classified according to federal and state wage and hour laws into the two additional categories of exempt and non-exempt as is defined by federal and/or Oregon law. Management will make the appropriate designation regarding the status for each new position or when a position changes substantially. If you are uncertain as to your status, ask your manager.

## II. CODE OF CONDUCT

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### A. Workplace Rules and Expectations

The City believes policies and procedures are essential for the orderly operation of our business and for the protection and fair treatment of all employees. As a result, we have clearly identified performance expectations so that everyone can act in accordance with our workplace standards. rCity values, Respect, Communication, Integrity, Teamwork, and Family, as well as courtesy and common sense should always prevail. The following work rules are not all-inclusive, but serve as guidelines to demonstrate work behaviors considered important to the City.

1. You are expected to be at work on time, remain until your workday ends, and perform the work assigned to or requested of you. If you are unable to be at work on time, you are expected to contact your manager prior to the start of your work shift. If that individual cannot be reached, you are expected to contact an alternate managerial representative.
2. You are expected to regard your workplace with respect and attention. The City records, equipment, and property are to be treated carefully and appropriately. The City equipment is not to be utilized for personal use, and anything created with the use of such equipment is the sole property of the City. You are responsible for those items in your care and custody and will be held accountable for their maintenance, appropriate use, and/or accuracy.
3. You are expected to act in accordance with all appropriate codes, laws, regulations, and policies, regardless of whether they are set by the City or outside regulatory bodies.
4. You are expected to conduct yourself in a professional and respectful manner, exhibiting a high regard for our citizens, vendors, business associates, and co-workers. No breach of professional behavior (abusive language, harassment, personal business during work time, etc.) will be condoned. This also applies to alcohol or drug consumption when representing the City in a business or social capacity.
5. You are expected to maintain the confidentiality of the City information or citizen information in your possession (e.g., personnel information, trade secrets).
6. Your personal appearance at work should be neat and consistent with professional atmosphere, keeping in mind the impression made on citizens, visitors, and other employees, and the need to promote the City and employee safety. Good individual judgment is the best guideline, but management retains the right to decide what appearance at work is appropriate. Employees are responsible for adhering to any department-specific requirements for uniforms and personal protective equipment.

7. Any other action an employee takes that is not in the best interest of the City.
8. You are expected to meet the standards for the performance of the position you hold. Failure to perform up to acceptable standards, insufficient productivity and inattentiveness to the job will merit corrective action.

This information regarding unacceptable practice/behavior may help in providing guidance for employee actions. You are urged to use reasonable judgment at all times and to seek advice from your manager in any doubtful or unclear situation. By everyone doing their best to meet both the spirit and intent of these guidelines, employee disciplinary issues should be minimal. Violations of the workplace rules identified above, or any City of Klamath Falls policy, may result in corrective action, up to and including immediate discharge.

We encourage all employees to become familiar with the non-discrimination policy and complaint procedures outlined on page 51.

## B. Ethics Policy

At the City we believe in treating people with respect and adhering to ethical and fair business practices. We expect employees to avoid situations that might cause their personal interests to conflict with the interests of the City or the City members, or situations that may compromise their reputation or integrity.

We at the City are public employees, and as such, are also subject to the State of Oregon's ethics laws. In some cases, these laws provide additional limitations on employees, such as prohibitions on gifts or strict definitions of conflict of interest. If you are coming to the City from work in the private sector, you may find that some activities that are common business practices in the private sector are prohibited in the public sector. Information on these laws is available at the Oregon Government Ethics Commission website, <http://www.oregon.gov/OGEC/>.

If you have questions about whether an activity meets the City's or Oregon's ethical standards, or whether you should accept something that may be a "gift" under Oregon's ethics laws, please reference the web link above or contact the Ethics Officer. Employees who violate the Ethics Policy, or who violate Oregon's ethical standards and laws, may be subject to disciplinary action up to and including discharge.

## C. Confidentiality

Employees working at the City have access to highly confidential, legally protected, and proprietary information. Confidential information includes all information acquired by an employee during the course of employment that is not generally available to the public, including legally protected information. Examples include:

- Records concerning ongoing law enforcement investigations or administrative investigations conducted by the City or other public entity
- Employee personnel files and related documents
- Personally identifying information (names, addresses, telephone numbers, date of birth and social security numbers) about employees, court defendants, utility account holders, and users of public facilities
- Any privileged or confidential commercial or financial information, including the social security number of any person
- Any records of discrimination or harassment complaints and investigations, whether or not part of a personnel file
- Records submitted by a candidate for an executive position
- Any record revealing or indicating a person has a disability
- Any medical, mental health, or sociological records
- Letters of reference
- Executive Session materials for City Council

The contents of records or information otherwise obtained in regard to the City business may not be disclosed to anyone, except where required for a business purpose or unless directed to do so by a court of competent jurisdiction or upon direction from the City Manager.

No records or information including (without limitation) protected medical data, documents, files, records, computer files or similar materials (except in the ordinary course of performing duties on behalf of the City) may be removed from our premises without written permission from the City Manager.

Employees are subject to appropriate disciplinary action up to, and including, dismissal for revealing information of a confidential nature.

All information acquired by an employee during the course of employment is to be used solely for the benefit of the City and, through the City, for the benefit of our members. The use of such information for personal advantage or disclosure to others is strictly prohibited. Likewise, any materials developed by our employees in the performance of their jobs, is the property of the City. Employees may not take this material with them when they leave our employment, remove it from our offices for non-work related reasons, or copy or distribute it to persons or companies, other than as required in the course of business, without written approval from the City Manager.

#### D. Misrepresentation

As a City employee, you should consider how you represent us in your business transactions and interactions. You should be careful not to misrepresent our policies, practices, procedures, or prices, or misrepresent your status and authority to enter into agreements. You may not



use the City's name, logo likeness, facilities, assets or other resources, or the authority of your position with the City for personal gain or private interests.

#### E. Outside Employment

Outside employment that creates a conflict of interest is prohibited. Employees are prohibited from receiving any income or material gain from individuals or organizations outside the City for materials produced or rendered while performing their jobs for the City.

Employees may hold outside employment if the additional work does not interfere with, or adversely affect their performance at the City; does not create a conflict of interest; does not use City time/equipment/property/premises, including the employee's own work time with the City; does not discredit the prestige or influence of one's position; does not involve actions that may be subject to review or control by the City; and does not otherwise detract from, or discredit, the City.

An employee proposing to accept outside employment must notify his/her manager in writing and obtain written permission which will not be unreasonably withheld.

#### F. Off Duty Conduct

As a general rule, the City regards the off-duty activities of employees to be their own personal matter. However, there are certain types of off-duty activities that are of concern because of the potential negative impact on the City's reputation. For that reason, employees who either engage in, or are associated with, criminal acts, or other conduct, the nature of which adversely affects the City or their own ability or credibility to carry out their employment responsibilities, may be subject to disciplinary action including discharge.

For purposes of this section, off-duty activities also includes participation in online activities, including, but not limited to, forms of online publishing and discussion such as blogs, wikis, file-sharing, user-generated video and audio, virtual worlds, and social networks.

#### G. Criminal Acts

Employees are required to report if they are arrested and/or charged with any misdemeanor or felony, including a DUII, as well as if they receive any citations, or plead guilty or no contest to charges (including diversions). Employees must inform Human Resources about these events within two business days. Upon conviction or dismissal of charges, the employee must report the matter to Human Resources within two business days and must submit documentation concerning the resolution.

An arrest or conviction of a crime is not an automatic bar to continued employment. The City will review the underlying facts of the matter; any action taken will be on a case-by-case basis,

taking into account the totality of the circumstances. At the City, actions may range from no action, to disciplinary action including discharge.

Failing to report a conviction constitutes grounds for discharge. Furthermore, misrepresentation of the circumstances of the events can serve as grounds for discharge.

Employees who are unavailable to report for work due to incarceration may be subject to disciplinary action, including discharge.

## H. Prohibited Political Activity

Oregon law provides that "No public employee may solicit money, influence, or otherwise promote or oppose any political committee, or promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder while on the job during working hours. However, this section does not restrict the right of a public employee to express personal political views."

## I. City Services

Every employee inhabiting, owning, or operating property served by the City Water/Sewer Utility system is required to keep the Utility Billing Department informed of the service address and pay the account on time in compliance with the rules and regulations that apply to all rate payers. Employees who fail to pay their account on time, and/or whose services are disconnected, may result in disciplinary action against the employee.

Those employees who write checks to the City, which are refused for payment due to Non-Sufficient Funds (NSF), may result in appropriate disciplinary action against the employee, in addition to other penalties.

### III. PAY ADMINISTRATION

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The City values quality employees and is committed to compensating employees for their efforts and results. It is our intent to provide a competitive compensation package that will attract, retain and motivate employees. It is also our intent that policies and pay practices be administered consistently throughout the City.

The pay of a new employee may be set within the established pay band based on the pay level of current employees in the same or similar positions, and the new employee's previous experience, education, and skills.

You may be eligible for future pay increases based on the City's approved budget and your performance.

This section may change with the implementation of TYLER Incode Payroll System. Anticipated implementation is late 2014.

#### A. Paydays

The regular payday is the last day of the month except when the last day falls on a weekend or holiday, in which case, the day prior will serve as payday.

No payroll checks will be released prior to payday.

#### B. Draws

Employees may elect to draw up to a third (1/3) of their gross pay on the 15th (or regular work day prior when applicable) of each month.

Regular draw amounts will be determined at orientation. The employee may change the draw amount, to a maximum of one-third of gross pay, each month. The employee must inform the appropriate person in his/her department of the change, by the 5th of the month.

#### C. Salary Advances

As a matter of policy, the City does not provide advance payments of salary. Employees may elect to draw up to a third (1/3) of their gross pay on the 15<sup>th</sup> (or regular work day prior when applicable) of each month.

#### D. Delivery of Paychecks

Each payday, your paycheck will be electronically deposited to an account you designate at a financial institution. No pay stubs will be delivered to any person other than you except upon your written request to do so.

#### E. Timekeeping for Non-exempt Employees

Non-exempt employee pay is calculated by monthly reported hours as approved by your Manager. The time record is formal documentation of the exact time worked. It should be completed daily and reviewed at the end of each week for completeness and accuracy. It must be completed and approved at the end of each pay period.

Your Manager, or designee, will review and approve time records each pay period. If an error is to be corrected or time clarified, the employee should notify his/her manager during the review process. Your electronic or written signature on the time record each pay period verifies that the times and dates are true and accurate to the best of your knowledge. You should never allow someone else to make entries on your time record. Willfully falsifying a time record may be grounds for corrective action, up to and including termination.

#### F. Time Records (Leave Requests) for Exempt Employees

Employees classified as exempt do not fill out time records; however, Exempt employees are expected to complete and certify hours that they are out of the office for leave and submit these records to their Manager for approval monthly; any absence from the office should be coordinated with your manager.

#### G. Final Paycheck

While we request that you give us at least 10 working days' advance notice prior to departure when resigning or retiring from the City, if you provide us with at least 48 hours' notice (excluding holidays and weekends) you will receive your final paycheck on the last day worked. If less notice is given, or if you are discharged, final paychecks will be paid in accordance with Oregon law. Final paychecks will include all wages earned through the last workday plus payment for any accrued and vested benefits (excluding PERS) for comp, sick and vacation hours that are due and payable at separation. Checks can be picked up at the City or mailed to the current home address if requested in writing by the terminating employee.

Exempt employees who terminate employment prior to the last day in the pay period in which they terminate, will be paid at an hourly rate of pay for all hours worked. Exempt employees, who are benefit eligible and who normally are scheduled to work less than 40 hours per week, will be paid their normal pro-rated holiday hours for any holidays that fall during the final month of employment with the City.

## IV. HOURS OF WORK AND WORK SCHEDULES

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### A. City of Klamath Falls Office Hours

The City has established regular working hours to promote a productive work environment that will best serve our citizens. The general office hours at the City are 8 AM to 5 PM, Monday through Friday. The Administration Office is closed from 12-1 for lunch. Management reserves the right to modify schedules consistent with the needs of the organization.

The normal work week is 40 hours. If you are a non-exempt employee, you should not begin work before your normal starting time nor continue working beyond the normal quitting time without advance approval from your manager.

The manager schedules specific work hours for individual employees. Typically, employees will work 8 hours between 6:00 AM to 6:00 PM, with one hour for lunch. Changes to work schedules may be made on an individual basis (work hours/work days) based on business necessity, at the discretion of the manager with approval from the Department Director. The City will attempt to notify you of any changes in workdays or work week schedules one week in advance of the effective date of change. Management reserves the right to modify schedules consistent with the needs of the organization. Schedules and revisions may be controlled by an applicable collective bargaining agreement.

Hours worked for the City are compensable and include all of the time that an employee is required to be on duty. Travel time and training or meeting time are considered hours worked under specific conditions outlined under wage and hour laws, or by the City policy. Please consult with your manager regarding these conditions. These provisions do not apply to exempt positions.

### B. Meal and Rest Periods

Non-exempt employees are entitled to meal and rest periods according to Federal and State law. Non-exempt employees are not permitted to work through a meal period unless approval from a manager is obtained prior to the scheduled meal break. If you are a non-exempt employee and you have permission to work during your meal period, you will be paid for your meal time. If an employee frequently works through a meal and/or rest period, without Manager approval, the employee may be subject to disciplinary action.

Meal periods and rest breaks are mandatory and are not optional. An employee's meal period and rest break(s) may not be taken together as one break. Meal periods and rest breaks may not be "skipped" in order to leave early. An employee who fails to abide by these policies and laws may be subjected to discipline, up to and including termination.

## C. Overtime

You may be required to work overtime. **Prior approval must be obtained from your manager before working overtime hours.** Managers are to ensure that no unauthorized overtime hours are worked. Overtime incurred without approval will be grounds for disciplinary action. The City complies with the provisions for overtime for our non-exempt employees, as outlined in the Fair Labor Standards Act and State wage and hour laws. Managers and employees will make every effort to keep the hours worked, to the regular 40 hour work week. This may be accomplished by flexing the hours worked during the work week (Sunday through Saturday), with the manager's approval. This may enable the employee to maintain his/her regular hours in the week and reduce the accumulation of overtime. If scheduling adjustments cannot be made during the week, comp time maybe granted (refer to Compensatory Time policy below). However, managers should attempt to avoid accumulated overtime by employees.

Overtime is calculated on the basis of hours actually worked *in excess of 40 hours* in a work week. Sick leave, vacation leave, and holidays are not counted as hours worked.

## D. Compensatory Time

Compensatory (comp) Time, in lieu of paid overtime, will be computed at 1.5 times the overtime hours, with prior agreement (refer to Overtime policy, above). You are encouraged to work with your manager to schedule and use comp time within 60 days of when it is accrued. At the discretion of your manager, employees who have accrued less than 120 comp hours may be able to choose whether to receive paid cash or accrue comp time. Employees, who have more than 120 hours, may be "cashed out" for hours greater than 40 at the rate of one and one-half (1 ½) times the employee's normal rate of pay at the end of each fiscal year, within budgetary limits. When an employee is separated from employment with the City, any remaining comp time is payable to the employee.

## E. Social and Recreational Activities

Participation in all off-duty social or recreational activities such as picnics and holiday parties is entirely voluntary. Participation or nonparticipation will not have any effect on employee wages, hours, working conditions or employment opportunities.

## F. Inclement Weather/Emergency Closing

Except for regularly scheduled holidays, the City will be open for business on Mondays through Fridays during normal business hours. The City recognizes that there may be circumstances beyond its control, such as inclement weather, a national crisis, or other emergencies, that may make one or more of our office locations inaccessible. On such occasions, one or more city location may be closed for all or part of a regularly scheduled workday. In such an event,

the City Manager (or designee) will make a decision and will endeavor to notify all managers for the purpose of contacting employees; you may also contact your manager. To access city closure information, please go to [www.ci.klamath-falls.or.us](http://www.ci.klamath-falls.or.us), or call the main city phone line at 541-883-5316.

In the event of extreme inclement weather conditions, it is recognized that each staff member's ability to safely reach the office may be different. Staff who cannot report to work in such circumstances should contact their manager. To the extent that exempt staff cannot reach the office and are able to serve citizens from home, they should do so.

## V. EMPLOYEE BENEFITS

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The City strives to provide excellent, equitable and cost-effective benefits for employees in recognition of the influence employment benefits have on the economic and personal welfare of our employees. Paid in various forms on your behalf, the total cost to provide the benefit program described in this Handbook and other documents is a significant supplement to your pay and should be viewed as additional compensation.

Policies, provisions and procedures that govern city benefit programs apply to all benefits-eligible employees, whether status is exempt or non-exempt, unless otherwise provided in a particular benefit plan.

Some benefits begin on the first of the month after employment. Some benefits may accrue during your introductory period, but eligibility to use the benefit will not occur in most cases until you obtain "regular" status (as defined elsewhere in this handbook), or meet other conditions of employment specified in the Handbook or contained in the benefit policy/plan documents.

Generally, employees who work less than 22.5 hours/week or less are not eligible for any benefits, other than those required by law, or compensation beyond wages.

### **Benefit Plan Documents**

You will be provided with Summary Plan Descriptions (SPDs) for the City benefit programs (available at [www.ci.klamath-falls.or.us](http://www.ci.klamath-falls.or.us)). The benefit programs are explicitly defined in legal documents, including insurance contracts, official plan texts, and trust agreements. In the event of a conflict between these documents and this policy, the plan documents will govern. All of these official documents are readily available from the City HR Department for your review. We ask that you refer any questions about this information to the HR Department.

#### **A. Health/Dental/Vision Insurance Benefit**

The City currently offers health insurance coverage for all benefits-eligible employees and their dependents who are eligible to participate in the plan. You will be provided with information about the plan during orientation. Health benefits begin the first of the month following employment. You are asked to review the summary plan description for answers to questions you may have. Any need for further information should be referred to the City HR Department.



## **Eligibility**

The health insurance plan provides benefits-eligible employees (working 30 hours/week or more in regular positions) and their eligible dependents with medical, dental, and vision care insurance benefits. Eligibility begins the first of the month following employment. Employees working in benefits-eligible positions are provided with a health insurance plan for themselves, their eligible dependents, and their domestic partners (note that the domestic partner of an insured employee is eligible for coverage if the domestic partnership meets all of the coverage criteria). The children of covered domestic partners are eligible under the same terms and conditions as children of enrolled employees. Questions regarding the criteria for determining eligibility for domestic partners, the employee's premium payment portion, and other questions relating to this benefit, can be addressed by contacting the Human Resources Department.

Employees with non-city health coverage may waive coverage with the City, provided that at least 75% of city benefits-eligible employees are covered. There is no additional compensation provided in lieu of health coverage.

## **Premium Contribution**

Employees contribute to the cost of their coverage based on their regular work schedule, their represented union, and the coverage level they select.

### **B. Pre-Tax Account**

The City makes a flexible spending account (FSA), a voluntary employee's beneficiary association (VEBA), and employer-provided health care available to benefits-eligible employees for dependent care expenses, medical and dental services, and employee insurance premiums. Because your taxable income is reduced by using one or more of these options, you pay fewer taxes. A brochure explaining the details of these programs are available from the Human Resources Department.

### **C. Other Benefits**

## **Workers' Compensation**

Employees will be insured under the provisions of the Workers' Compensation Program for "accepted" injuries and illnesses received while performing work for The City. The City uses an external claims adjuster to process the City employee claims, and to determine the compensability of a claim.

## Accident and Injury Reporting

All job-related injuries or illnesses must be reported to your manager within 24 hours, regardless of severity using the Incident Report form. **If you are going to seek treatment, please remember to complete an 801 Form.** In the case of serious injury, your reporting obligation will be deferred until circumstances reasonably permit a report to be made. Failure to report an injury or illness may affect or delay the payment of any benefits to you and could subject The City to fines and penalties.

### Incidents Involving Employees:

This policy is intended to establish guidelines and uniformity in the investigation of auto accidents, uniform traffic citations and arrests involving personnel, and eliminate conflicts. It applies to all individuals who are:

- ◆ Employees
- ◆ Immediate family members of employees  
(spouse, children who reside with, or individual who co-habitates with)

If any of the above listed individuals is detained/contacted for questioning, citation, or auto accident investigation by a City Police Officer, he/she **must immediately** inform the officer that he/she is a City employee or family member.

Auto accidents are referred to an outside Law Enforcement Agency for investigation; arrests and Uniform Traffic Citations are to be scheduled for Klamath County Circuit Court to avoid the appearance of impropriety.

## Early Return-to-Work Program

Our Return-to-Work program provides guidelines for returning you to work at the earliest possible time after you have suffered an on-the-job injury or illness that results in time loss. This program is not intended as a substitute for reasonable accommodation when an injured employee also qualifies as an individual with a disability. The Return-to-Work Program is intended to be transitional work, to enable you to return to your regular job in a reasonable period of time.

The Return-to-Work program for job related injuries consists of a team effort by managers, injured employees and their treating physicians, city management, and our workers' compensation claims staff.

Through this team effort, we hope to help our employees recover and return to full employment at the earliest possible date that is consistent with their medical condition and the advice of the treating physician.

If your doctor determines that you are able to perform modified work, The City will attempt to provide you with such a job for a reasonable period of time (usually 6 months or less) until you can resume your regular duties (except where provided as an accommodation for a disability). All modified work is temporary and may be offered at a different location and/or shift. If, due to a work related injury, you are offered a modified position that has been medically approved, failure to phone in or report at the designated time and place may affect your compensation. While you are on modified or transitional work, you are still subject to all the usual rules and procedures.

Please refer to the ADA policy if an injury or illness requires accommodation to perform essential job functions.

### **Life Insurance**

City of Klamath Falls provides a basic life insurance plan. Regular employees are provided a \$20,000 basic life insurance policy.

Regular employees may elect to have a monthly payroll deduction to purchase additional life insurance and spousal insurance in \$10,000 increments up to \$300,000. Interested employees can obtain information and forms from Human Resources.

### **Accidental Death and Dismemberment (AD&D) Insurance**

The City provides AD&D insurance coverage in the same dollar amount as your city-paid life insurance coverage, for employees working in benefits-eligible positions, who suffer accidental death or dismemberment. You are eligible for coverage the first of the month following employment.

### **Employee Assistance Program (EAP)**

This free, confidential service is provided to all employees covered by our medical insurance benefits, and their covered dependents who may be experiencing life problems. Information regarding this service can be obtained by contacting the City HR Department or on the web at [www.ci.klamath-falls.or.us](http://www.ci.klamath-falls.or.us).

### **Educational Financial Assistance**

The City encourages the continued education and professional development of its staff by assisting employees with certain tuition and related expenses as described in this section. This section deals with education programs voluntarily undertaken by the employee. Policies and

procedures with respect to mandatory training and educational events attended at the request of the City are found elsewhere in this Handbook under "Employee-Incurred Expenses and Reimbursement."

The City will assist staff with costs related to voluntary continuing education provided the participation is approved in advance by the Department Director, HR and the City Manager. The following criteria, procedures and rules typically apply:

The program is available to those who have been regular full time employees of the City for at least one year. This requirement may be waived when special circumstances exist.

- The subject matter of the coursework must be directly job-related and relevant to the employee's work responsibilities. Responsibilities described in the job description, as well as training goals and objectives developed for the employee, will be considered in determining if the requested course work is sufficiently job-related to qualify for assistance.
- Costs that may be considered for eligibility under this program include tuition, registration fees, exam fees, and required books and course materials. The maximum available under this program per term or semester is \$1000 or actual expenses whichever is greater. Optional study aids are not eligible unless specifically authorized by the Department Director.
- Time required for study, travel to class, class attendance, exam taking, etc. related to such coursework is strictly the employee's personal time unless express permission has otherwise been granted during the approval process.
- The completed "Request for Educational Financial Assistance" form is to be submitted to the employee's manager. This form must be approved by the Department Director, Human Resources and the City Manager prior to enrollment.
- When practical, the City will pay the approved amounts directly to the educational institution upon receipt of an appropriate invoice. Books and other course materials will be paid to the vendor as invoiced or reimbursed to the employee with appropriate documentation. Upon such payment or reimbursement any such books or materials become the property of the City, on loan to the employee.
- Typically, the Educational Financial Assistance paid by the City constitutes a loan to the employee for up to 6 months. The employee must sign an Educational Financial Assistance Agreement whereby the employee agrees to repay all assistance received under this policy if (a) the employee leaves city employment within six months after receiving the loan; or (b) the employee fails to complete the course; or (c) in the case of a graded course, the employee fails to receive a "C" or better, or the equivalent, (or a "Pass" for Pass/Fail courses.)

- The Department Director and Human Resources have sole and final discretion to determine whether courses or expenses qualify for this program and to determine exceptions.

### **Professional Membership**

Recognizing that there may be mutual benefits derived from personal growth and increased work competence; the City will pay the dues for management employees to join professional organizations which benefit the position held and will clearly meet the City objectives.

The employee should submit the request to his/her Department Director, who will review the content objectively for appropriateness and funds availability, and approve as appropriate within budget.

## **D. PERS (Public Employees' Retirement System) Benefit**

### **PERS Membership**

As participants in the PERS system, your designation as a Tier I, Tier II, or OPSRP member will depend on your prior PERS service and PERS rules.

You become a PERS member after working six full calendar months for a PERS-covered employer in a qualifying position requiring at least 600 hours per calendar year period. That six month "waiting period" cannot be interrupted by more than 30 consecutive working days. Your effective date of membership is the first day of the month after you have met this requirement.

The City makes contributions to PERS on your behalf. The contribution is an amount based on the actuarial requirements for funding the City employee pensions. It is a percentage of payroll set by PERS. The amount may be different for each designation (Tier I, Tier II, OPSRP), and changes from year to year.

Employee contributions to the PERS system, which is set by statute at 6% of your pay, is the responsibility of the employee. The employee contribution is deposited by PERS into the Individual Account Program (IAP). After you become a member of PERS, you will receive information about how to review your IAP account. PERS also will send you annually a statement of your balance(s).

When you become a PERS member, you should fill out a Designation of Beneficiary form (available on the intranet-([www.ci.klamath-falls.or.us](http://www.ci.klamath-falls.or.us))) to name someone to receive your benefits should you die before refunding or retiring. The "Standard Designation" on the Designation of Beneficiary form directs your death benefits to your surviving next of kin. If you

select the standard designation, you automatically provide for changes which occur in your family situation such as marriage, birth, divorce, or death.

For more information on PERS membership, contact their Customer Service line: 1-888-320-7377 or 503-598-7377, Monday – Friday between the hours of 8:30 a.m. and 5:00 p.m.

### Deferred Compensation

To supplement your PERS retirement, benefit eligible employees may elect to participate in a **Deferred Compensation program offered by ICMA**. This allows you to set aside part of your salary and defer the taxes on it until you retire. You are eligible to participate, beginning with your first paycheck. Information is available from the Human Resources Department.

### E. Vacation Leave Benefit

All benefits-eligible employees are eligible for vacation based on the schedule below. Benefits-eligible employees who regularly work less than 40 hours may be eligible for pro-rated benefit accruals. All accruals begin at the date of hire, and after completion of 6 introductory months, accruals are credited as Vacation Leave and may be taken with manager approval. No vacation time will be authorized during the introductory period, unless specific arrangements have been made at the time of hire.

Vacation time is intended to provide time away from work for rest and recreation. Vacation pay may not be taken in lieu of time off. Time is not to be banked and then never used; therefore, the vacation accrual cannot exceed a maximum of 240 hours. Vacation benefits will stop accruing once the maximum has been reached. When this total is reduced below the maximum allowable, the benefit will begin accruing again. No vacation is accrued while the employee is on a leave of absence without pay.

You will earn vacation leave benefits according to the following schedule:

Length of Service	Full-Time Accrual Per Month	Full-Time Days Per Year
Less than 3 years	8.0 hours	12 days
3 years to 5 years	10 hours	15 days
5 years to 10 years	12 hours	18 days
10 years to 15 years	14 hours	21 days
15+ years*	16 hours	24 days

\* some employees receive 20 hours per month (30 Days) depending on prior policies or collective bargaining agreements and date of hire.

Upon separation of employment, employees who have completed 6 months of employment will be paid for unused vacation time that has been earned through the last day of work with a cap of 240 hours.

Vacation leave is paid at the employee's base pay rate at the time vacation is taken. In the event that available vacation is not used by the end of the calendar year, employees must carry unused time forward to the next calendar year with a cap of 240 hours. Vacation leave balances are accumulated and deducted based upon the time period used to calculate your paycheck. Changes to your balances are not reflected until the forms have been processed through payroll, which includes any needed adjustments.

Any employee wishing to use vacation time should request vacation hours as early as possible so that arrangements for coverage can be made. We encourage all employees to be aware of the critical times for their work groups (i.e. open enrollment, renewals, annual conference) during the year, and to avoid taking any routine or expected time off during these periods. Requests for vacation time are to be made in writing and given to your manager. Vacation time will usually not be granted for periods longer than two (2) weeks. Every attempt will be made to grant each request; however, no guarantees can be offered. Some positions require a minimum of one week vacation be taken per year without interruption for internal control.

#### F. Paid Holiday Benefit

The City will grant paid holiday time off to all benefits-eligible employees. If a holiday falls on a Saturday, it will be observed the Friday prior; if falling on a Sunday, it will be observed the Monday following. At the City Manager's discretion, early time-off may be given employees working the day prior to a city holiday. Unless otherwise stipulated, spontaneous leave such as this will not benefit the vacation banks of employees already using paid leave when such time-off is awarded.

The City currently provides 11 paid holidays and additional floating holidays depending on job classification.

A schedule (accessible to all employees on the City website) is updated at the beginning of each year showing the eleven defined holidays.

Unused holiday time will not be paid, except for Police; you must use your floating holidays between July 1 and June 30, for each fiscal year. They cannot be carried forward.

#### **Defined Holidays for City of Klamath Falls (Office Closed)**

New Year's Day (January 1)

Martin Luther King Day (3<sup>rd</sup> Monday in January)  
Washington's Birthday/Presidents' Day (3<sup>rd</sup> Monday in February)  
Memorial Day (last Monday in May)  
Independence Day (July 4)  
Labor Day (first Monday in September)  
Veteran's Day (November 11<sup>th</sup>)  
Thanksgiving (fourth Thursday in November)  
Day after Thanksgiving  
Day before Christmas  
Christmas Day (December 25)

### **Floating Holiday**

One Floating Holiday (issued July 1st each year)

### **Administrative Hours**

Those non-supervisory exempt employees who accept this Handbook in lieu of the Non-Represented Employee Policy shall be granted 24 hours of paid leave annually on July 1<sup>st</sup> each year.

Those supervisory exempt employees who accept this Handbook in lieu of the Non-Represented Employee Policy shall be granted 32 hours of paid leave annually on July 1<sup>st</sup> each year.

These days/hours must be used within a fiscal year and shall expire if unused on June 30<sup>th</sup>. Employees must coordinate requests with their manager. Exempt employees certify their use, when certifying a monthly leave report for payroll purposes.

Non-exempt employees certify their use of a floating holiday when they certify their monthly timesheets (or leave report).

### **G. Sick Leave Benefit**

Benefits-eligible full time employees will receive one sick day for every month of service. Sick leave is accumulated on the last workday of the month. You must be in an active pay status on the last day of the month to accumulate sick leave for that month. Sick leave can be used after you have received your first city paycheck or per the relevant Collective Bargaining Agreement.

Regular Part-time NB and Temporary Employees will receive sick leave in accordance with Oregon's Paid Sick Leave Law. This policy will be updated as necessary to reflect changes in and to ensure compliance with Oregon law. Effective January 1, 2016, these employees will accrue one hour of sick leave for each 30 hours of work.



An Part-time or Temporary employee who begins employment after January 1, 2016, begins to accrue paid sick leave on the first day of employment, but may not use paid sick leave until the 91<sup>st</sup> day of employment. After the 91<sup>st</sup> day of employment, paid sick leave may be used as it is accrued.

A Part-time or Temporary employee who was employed prior to January 1, 2016 and is active on that date, is eligible to accrue sick leave on January 1, 2016 and may use sick leave as it is accrued.

Sick leave is intended for your use due to illness or injury; to allow you to care for an ill or injured member of your immediate family; or for your medical appointments.

Although the City realizes that an employee with temporary illnesses such as influenza, colds and other viruses often need to continue with normal life activities, including working, your manager may require you to go home from work if you appear to be too ill to be at work or if you are unable to perform normal job duties and meet regular performance standards. If in the judgment of the manager, your continued presence poses no risk to the health of you, other employees, or customers, you may be allowed to work. However, if this is not the case, and your manager requires you to go home, you are expected to do so. If you dispute your manager's decision to send you home, then you must submit a statement from your attending health care provider that your continued presence in the workplace poses no significant risk to you, other employees or customers.

If you have been ill or injured, have missed time from work, and have a release from your doctor to return to temporarily modified work, please contact the City before returning to work. The City will determine whether you may return to work in a temporarily modified job.

If you miss more than five (5) consecutive days work, you may be required to provide a release from your doctor before returning to work.

Time for routine doctor or dentist appointments should be charged to sick time unless other arrangements have been made with your manager. You are encouraged to schedule such appointments to occur outside of work hours.

Sick time accumulated for full-time employees will not exceed 120 working days (960 hours). **Sick leave benefits will stop accruing once the maximum has been reached.** When this total is reduced below the maximum allowable, the benefit will begin accruing again. ( For those employees with accrued sick leave exceeding 960 hours as of the date of this handbook , on the month prior to retirement, all sick leave above 960 hours will expire with no value and the remaining 960 hours can be used consistent with the applicable policies in effect at the time of retirement. Effective July 1, 2014, no further accrual will occur for these employees as long as the value in the current sick bank exceeds 960 hours.)

Sick time accumulated for part-time and temporary employees will not exceed eighty (80) hours and the maximum accrual in any one fiscal year is forty (40) hours.

You are expected to notify your manager of absence due to illness or injury at the beginning of each workday during your absence. Exceptions to this include a serious accidental injury, hospitalization, or when it is known in advance that you will be absent for an extended period of time.

A Medical Release Statement and Fitness for Duty Examination may be requested for review before you return to work in certain situations.

Please refer to the FMLA/OFLA section of this handbook, for sick leave use when on FMLA/OFLA leave.

Upon termination, layoff, death, or voluntary or disability retirement, full-time employees may receive cash payment for accrued sick leave as follows depending on the date of accrual and collective bargaining agreements:

0 - 5 years	12.5%
6 years	15.0%
7 years	17.5%
8 years	20.0%
9 years	22.5%
10 + years	25.0%

Please contact HR for your specific accumulation and estimated payout. Part-time and temporary employees do not accrue sick leave subject to payout.

Full-time employee's accumulated sick leave up to the maximum 960 hours, less any amounts paid out under the conditions discussed above, will be reported to Oregon PERS for credit towards the employee's retirement benefits, as allowed by State Law.

Sick leave is not accumulated while an employee is on a leave of absence without pay. In the case of a work-related accident or injury, you may use sick time to offset any hours not paid through Workers' Compensation, or to offset the reduction in regular pay until accumulated sick time is used. However, at no time can the combination of these exceed normal earnings, nor can you use more sick time than that accumulated. (See below.)

Employees who are found to have abused the City sick leave policy may be subject to disciplinary action, up to and including termination

## **Non-Represented Employee Sick Leave Incentive Program for Employees Hired Before July 1, 2015**

This Sick Leave Incentive Program only applies to non-represented employees hired before July 1, 2015. Each full-time employee accrues 96 hours of sick leave throughout the fiscal year. At the end of a fiscal year, those sick hours accrued but not used that exceed 64 hours are contributed to the employee's VEBA account. The contributions are made at the employee's salary rate of pay. Any remaining sick leave hours, up to 64 hours, are accumulated in the employee's current sick bank account.

Non-Represented employees hired after June 30, 2015 will not be eligible for the Sick Leave Incentive Program.

## **Workers Compensation Time Loss Injury and Sick Leave**

If a city employee is injured on the job and his/her workers' compensation claim is accepted, the employee may request that the City pay the employee the difference between time loss wages received under workers' compensation and his/her regular salary rate.

The dollar value paid by the City will be converted to the employee's hourly wage rate and charged on an hourly basis against the employee's accrued leave. Wages paid by the City for a leave period covered by workers' compensation will be paid first from accrued sick leave. Upon exhaustion of the employee's sick leave, the employee may choose to use his/her vacation or compensatory leave. Upon exhaustion of the employee's sick leave, vacation leave or compensatory time, the City's supplemental payments will stop.

If an employee has received accrued leave from the City while waiting for a time loss payment, then he/she must reimburse the City any pay overages.

If the employee does not request leave use, then it will be assumed that the employee does not want to use his/her leave accruals, and no accruals will be paid.

If the workers' compensation claim is denied, all future use of accrued leave for the time loss event will revert to the leave policies as written in the Employee Handbook.

## **Vacation Leave Donation and Use**

The purpose of donated vacation leave is to assist any eligible employees with additional leave through the donations from eligible co-workers. All full-time regular employees are eligible to request or donate vacation time in cases deemed as "hardship" by the Human Resources Department. All donations will be kept confidential and donors will remain anonymous.

In order to qualify for a leave donation, an employee must meet the eligibility requirements of the Family Medical Leave Act and/or the Oregon Family Leave Act.

An employee who is receiving, or is eligible to receive, any type of retirement disability, short-term or long-term disability insurance, or other supplemental income is not eligible to receive donated leave.

Donated hours must not be processed in an amount greater than that which is approximately necessary to cover the employee's next occurring pay period.

If otherwise qualifying, donated leave may be used to provide paid Family & Medical Leave that would otherwise be unpaid, but may not extend the length of Family & Medical Leave entitlement.

Donated leave may not be used to extend employment beyond the point that it would otherwise end by operation of law, rule, policy, or regulation. For example, if an employee would have otherwise been terminated due to layoff or other reasons, donated leave may not be used to extend employment.

The Requesting Employee (Recipient) Must:

- Provide documentation for a non-work related seriously disabling illness or injury, as certified by a physician.
- Have exhausted all vacation, sick, and compensatory accrued leave and not be on, or eligible for, disability leave or pay.
- Have worked one full year at the City and have received satisfactory performance evaluations.
- Submit a request for donated leave to their immediate manager and copy to Human Resources indicating reason and anticipated amount of lost work time.

The Donating Employee:

- Must complete and submit a designated form indicating the desire to donate to the Human Resources Department with manager approval.
- May donate up to a maximum of 40 hours of vacation time per calendar year, but must retain a minimum of 40 hours vacation leave.

Any decision by the Human Resources Department regarding Vacation Leave Donation will be binding. Donated time is calculated using the number of hours donated the donor's hourly wage, and the recipient's hourly wage. Announcement of the need for sick leave will be made with the employee's cooperation and approval.

Any unused leave will be returned proportionately to those who submitted donations.

## H. Other Leaves of Absence

The City recognizes that our employees may encounter many situations that require a temporary but extended absence from work. We offer several different types of leaves of absence for that purpose.

The type of leave may determine which employees are eligible and what procedure is to be followed in requesting and obtaining the leave. The effect of the leave on benefit accruals, benefits and reinstatement rights also vary according to the type of leave you are requesting. Each of these leaves is discussed below.

### **Leave Without Pay**

Leave without pay may be approved based on workload and business necessity, for limited duration, by the Department Director and the City Manager. Examples might include unpaid religious holidays or an extended medical leave. Maximum duration allowable would not exceed one year. All requests will be considered on a case-by-case basis. Instances of leave without pay may affect an employee's annual performance appraisal date. The City has the right to make such a change, and may do so at the discretion of the City Manager.

### **Bereavement Leave**

Employees who have worked for the City for 180 calendar days, and an average of 25 hours per week, may take up to two weeks of bereavement leave per death of a family member, up to a maximum of 12 weeks in a 12-month period, to make arrangements necessitated by the death, to attend the funeral or memorial service, or to grieve.

For purposes of this Handbook in reference to Bereavement Leave, "Family Member" is defined under OFLA to include the employee's spouse, same-sex domestic partner, child, parent, parent-in-law, grandparent, or grandchild, or the same relations of an employee's same-sex domestic partner or spouse.

Bereavement leave is paid for up to five days at the employee's regular pay rate, employees may use any accrued sick leave or vacation time for extended time during the period of bereavement for up to two weeks.

Employees who wish to take bereavement leave must inform Human Resources within 60 days of receiving notification of a Family Member's death. Although prior notice is not required, oral notice must be provided within 24 hours of beginning leave. Written notice must be provided to the employer within three days of returning to work.

### **Military Leave**

Military leave is granted to all employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and state law. Generally, advanced notice is required before taking military service or training leave.

### **Jury Duty**

If you are notified or subpoenaed to serve as a juror, you may obtain a leave of absence.

- **Length of Leave** - Jury duty leave is available for the period of time covered by the initial subpoena or court order and any involuntary extensions.
- **Request Procedure** - You must notify your manager as soon as you receive the notice or as soon as is practicable in order for arrangements to be made to cover your position. If requested, you are expected to provide us with a copy of the subpoena or notice.
- **Jury Fee** - Employee endorses any fee to the City as a condition to the receipt of regular pay, excluding mileage and meal allowances. The employee shall remit to the City any amount received for jury duty fees. Any mileage and/or meal allowance provided the employee for jury duty shall not be considered in the amount received for jury duty.
- **Status of Benefits** - Benefits are not affected by jury duty leaves.

### **Witness Duty**

Employees who spend time as a witness (but not a party) in a City-related, legal proceeding will be treated as time worked for pay purposes, provided the time served occurs during regularly scheduled hours, the employee is subpoenaed to testify, and the employee submits witness fees to Payroll upon receipt.

Employees who are subpoenaed to testify in non-work-related legal proceedings, or who wish to testify in legal proceedings, must use any available vacation time to cover their absences from work. If the employee does not have any available vacation time, the employee's absence(s) will be unpaid. Employees must present a copy of the subpoena served on them to their supervisor for scheduling and verification purposes no later than 24 hours after being served.

### **Domestic Violence Leave and Accommodation Policy**

Any employee who is a victim of domestic violence, sexual assault or stalking, or are parents of victims (minor children), may be eligible for this leave.

The City may grant an eligible employee a reasonable leave of absence if the employee or the employee's minor child or dependent needs time off to deal with issues of domestic violence, harassment, sexual assault, or stalking.

Leave is generally unpaid, but the employee may use any accrued vacation or similar paid time off while on this type of leave.

When seeking this type of leave, the employee should provide as much advance notice as is practicable of his or her intention to take leave, unless giving advance notice is not feasible.

Notice of need to take leave should be provided by submitting a request for leave in writing to Human Resources as far in advance as possible, indicating the time needed, when the time will be needed, and the reason for the leave. The City will then generally require certification of the need for the leave, such as a police report, protective order or other evidence of a court proceeding, or documentation from a law enforcement officer, attorney, healthcare professional, member of the clergy, or victim services provider.

The City may provide reasonable safety accommodations for an employee who is a victim of domestic violence, harassment, sexual assault, or stalking, if the employee requests it, and if it does not impose an undue hardship on the City.

Examples of reasonable accommodation include, but are not limited to: transfer, reassignment, modified schedule, unpaid leave from employment, changed work telephone number, changed work station, installed lock, implemented safety procedure, or any other adjustment to a job structure, workplace facility or work requirement.

#### I. Vacation/Sick/Compensatory Leave Reporting

All city employees (exempt and non-exempt) are required to report any vacation or anticipated sick leave in advance, using City of Klamath Falls' reporting system.

#### J. Family and Medical Leave: Federal (FMLA) / Oregon (OFLA)

The following is a summary of Family and Medical Leave policy and procedures under the federal Family Medical Leave Act (FMLA) and the Oregon Family Leave Act (OFLA). Generally, and as will be discussed, eligible employees are entitled to 12 weeks of unpaid leave of absence for the reasons identified below. Federal and state law prohibit retaliation against an employee with respect to hiring or any other term or condition of employment because the employee asked about, requested or used Family and Medical Leave. In all cases, applicable Oregon and federal laws, rules, policies and collective bargaining agreements govern the employee's and the City's rights and obligations, not this policy.

FMLA and OFLA are not optional. The law requires the City to provide these entitlements.

Employees seeking further information should contact Human Resources. Please also refer to the “Employee Rights and Responsibilities Under the Family Medical Leave Act” and “Oregon Family Leave Act” notices posted in the employee break rooms, which are incorporated here by reference.

## **Definitions**

### *Child/Son or Daughter*

For purposes of OFLA, “child” includes a biological, adopted, foster or stepchild, the child of a registered same-sex domestic partner or a child with whom the employee is in a relationship of in loco parentis. For purposes of OFLA Serious Health Condition Leave, the “child” can be any age; for all other types of leave under OFLA, the “child” must be under the age of 18 or over 18 if incapable of self-care.

A “son or daughter” is defined by FMLA as a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis who is either under 18 years of age or is 18 years of age or older and “incapable of self-care because of a mental or physical disability” at the time FMLA leave is to commence. FMLA also provides separate definitions of “son or daughter” for FMLA military family leave that are not restricted by age – see below.

### *Eligible Employee*

OFLA – To qualify for OFLA leave for a Serious Health Condition or Sick Child Leave, an employee must have been employed for at least 180 days and worked an average of at least 25 hours per week. To qualify for Parental Leave under OFLA, an employee must have been employed for at least 180 days (no per-week hourly minimum is required).

OMFLA – For purposes of Oregon Military Family Leave Act leave, the employee need have only worked 20 hours per week (no minimum tenure required). A different calculation method applies for reemployed service members under USERRA who seek OMFLA leave.

FMLA – Employees are eligible for FMLA leave if they have worked for a covered employer for at least one year (which may be based on separate stints of employment) and for 1,250 hours during the 12 months preceding the date leave is to begin. They must also be employed at a worksite where 50 or more employees are employed by the employer within 75 miles of that worksite.

Leave under Oregon and federal law will run concurrently when permitted.

### *Family Medical Leave*



This includes all of the types of leave identified in the section below, entitled “Reasons for Taking Leave,” unless otherwise specified.

### *Family Member*

For purposes of FMLA, “family member” is defined as a spouse, parent or a “son” or “daughter” (defined above).

For purposes of OFLA, “family member” includes the definitions found under FMLA and also includes a parent-in-law, grandparent, grandchild, registered same-sex domestic partner, and parent or child of a registered same-sex domestic partner.

### *Serious Health Condition*

“Serious health condition” is defined under FMLA and OFLA as an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition.

Other conditions may meet the definition of a “serious health condition”. The common cold, flu, earaches, upset stomach, minor ulcers, headaches other than migraine, routine dental or orthodontia problems, periodontal disease, and cosmetic treatments (without complications), are examples of conditions that are not generally defined as serious health conditions.

## **Reasons for Taking Leave**

Family Medical Leave may be taken under any of the following circumstances:

1. **Call to Active Duty Leave:** Eligible employees with a spouse, son, daughter or parent on active duty or call to active duty status in the regular Armed Forces, National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain “qualifying exigencies.” “Qualifying exigencies” may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. This type of leave is available under FMLA only; however, under OFLA, specifically under the Oregon Military Family Leave Act, during a period of military conflict, as defined by the statute, eligible employees with a spouse or registered same-sex domestic partner who is a member of the Armed Forces, National Guard, or military

reserve forces of the U.S. and who has been notified of an impending call or order to active duty, or who has been deployed, is entitled to a total of 14 days of unpaid leave per deployment after the military spouse or registered same-sex domestic partner has been notified of an impending call or order to active duty and before deployment and when the military person is on leave from deployment.

2. Employee's Serious Health Condition Leave: To recover from or seek treatment for an employee's serious health condition, including pregnancy-related conditions and prenatal care.

3. Family Member's Serious Health Condition Leave: To care for a family member with a serious health condition.

4. Parental Leave: For the birth of a child or for the placement of a child under 18 years of age for adoption or foster care. Parental leave must be completed within 12 months of the birth of a newborn or placement of an adopted or foster child.

5. Pregnancy Disability Leave: For incapacity due to pregnancy, prenatal medical care or birth.

6. Servicemember Family Leave: Eligible employees may take up to 26 weeks of leave to care for a "covered servicemember" during a single 12-month period. A "covered servicemember" is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. Under some circumstances, a veteran will be considered a "covered servicemember." This type of leave is available under FMLA only.

7. Sick Child Leave: To care for a child who suffers from an illness or injury that does not qualify as a serious health condition but that requires home care. This type of leave does not provide for routine medical and dental appointments or issues surrounding the availability of childcare when the child is not ill or injured. Sick child leave is not available if another family member is able and willing to care for the child. This type of leave is available only to employees who are eligible under OFLA.

## **Length of Leave**

In any one-year calculation period, eligible employees may take:

- Up to twelve (12) weeks of Parental Leave, Serious Health Condition Leave (employee's own or family member), Sick Child Leave, or Call to Active Duty Leave;

- In some cases, an additional twelve (12) weeks of leave may be available to an eligible employee for an illness, injury or condition related to pregnancy or childbirth that disables the employee; and
- In some cases, employees who take the entire twelve (12) weeks of OFLA Parental Leave will be entitled to an additional twelve (12) weeks of Sick Child Leave.

When leave is taken for Servicemember Family Leave, an eligible employee may take up to 26 weeks of leave during the One-Year Calculation Period to care for the servicemember. During the One-Year Calculation Period in which Servicemember Family Leave is taken, an eligible employee is entitled to a combined total of 26 weeks of FMLA Leave (some of which may include other types of FMLA-specific leaves of absence).

### **One-Year Calculation Period**

The “twelve month period” during which leave is available (also referred to as the “one-year calculation period”) will be determined by a rolling twelve-month period measured backward from the date an employee uses any Family Medical Leave. Each time an employee takes Family Medical Leave, the remaining leave entitlement would be any balance of the twelve weeks which has not been used during the immediately preceding twelve months.

### **Intermittent Leave**

Intermittent or reduced schedule leave may be taken during a period of Family member or Employee Serious Health Condition Leave or Servicemember Family Leave. Additionally, Call to Active Duty Leave may be taken on an intermittent or reduced leave schedule basis. An employee may be temporarily reassigned to a position that better accommodates an intermittent or reduced schedule; employees covered by OFLA will not be reassigned without their express consent and agreement. Employees must make reasonable efforts to schedule planned medical treatments so as to minimize disruption of City operations, including consulting management prior to the scheduling of treatment in order to work out a treatment schedule which best suits the needs of both City and the employee. Intermittent leave for Parental Leave is not available.

### **Employee Responsibilities – Notice**

Employees must provide at least 30 days’ advance notice before Family Medical Leave is to begin if the reason for leave is foreseeable based on an expected birth, placement for adoption or foster care, planned medical treatment for a serious health condition of the employee or of a family member, or the planned treatment for a serious injury or illness of a covered servicemember (Servicemember Family Leave). If 30 days’ notice is not practicable, such as because of a lack of knowledge of approximately when leave will be required to begin, a change in circumstances, or a medical emergency, notice must be given as soon as practicable. For Call to Active Duty Leave, notice must be provided as soon as practicable, regardless of how far in advance such leave is foreseeable.

Whether leave is to be continuous or is to be taken intermittently or on a reduced schedule basis, notice need only be given one time, but the employee will let Human Resources know as soon as practicable if dates of scheduled leave change or are extended, or were initially unknown.

If circumstances change during the leave and the leave period differs from the original request, the employee must notify Human Resources within three business days, or as soon as possible. Further, employees must provide written notice within three days of returning to work.

Regardless of the reason for leave, or whether the need for leave is foreseeable, employees will be expected to comply with City's normal call-in procedures. Employees who fail to comply with City's leave procedures may be denied leave, subject to discipline, or the start date of the employee's Family Medical Leave may be delayed.

### **Certification**

Generally speaking, employees must provide sufficient information for City to determine if the leave may qualify for FMLA or OFLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for either Call to Active Duty or Servicemember Family Leave.

Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Additionally:

1. Employees requesting serious health condition leave for themselves or to care for a covered family member will be required to provide certification from the health care provider of the employee or the covered family member to support the request.
2. Employees requesting sick child leave under OFLA may be required to submit, at a minimum, a note from a doctor if the employee has requested to use more than three days (i.e., one three-day occurrence or three separate instances) of sick child leave within a one-year period.

Employees must furnish City's requested medical certification information within 15 calendar days after such information is requested by City. In some cases (except for leave to care for a sick child), City may require a second or third opinion, at City's expense. Employees also may be required to submit subsequent medical verification.

Employees will not be asked for, and they should not provide, any genetic information about themselves or a family member in connection with a FMLA/OFLA medical certification.

### **Fitness-for-Duty Certification**

If Family Medical Leave is for the employee's own serious health condition, the employee must furnish, prior to returning to work, medical certification (fitness-for-duty certification) from their health care provider stating that the employee is able to resume work.

#### Substitution of Paid Leave for Unpaid Leave

Employees are required to use any available vacation, floating holidays and sick pay while on approved Family Medical Leave. If the employee's vacation pay and sick pay time is exhausted, the leave will be unpaid.

An employee may choose to use accrued compensatory time while on FMLA or OFLA leave although the City may not require its use for FMLA or OFLA leave. The use of compensatory time off may not be counted against the employee's FMLA or OFLA twelve (12)-week entitlement as stated in federal or state law or regulations.

#### Holiday Pay While on Leave

Employees receiving short- or long-term disability will not qualify for holiday pay. Employees using vacation pay or sick pay during a portion of approved Family Medical Leave in which a holiday occurs will qualify to receive holiday pay. Employees who are on unpaid leave during a holiday will not qualify to receive holiday pay.

#### On-the-Job Injury or Illness

Periods of employee disability resulting from a compensable on-the-job injury or illness will qualify for FMLA Leave if the injury or illness is a "serious health condition" as defined by applicable law.

OFLA leave will not be reduced by and will not run concurrently with any period the employee is unable to work because of a disabling compensable injury; however, if the injury or illness is a "serious health condition" as defined by Oregon law and the employee has refused a bona fide offer of light-duty or modified employment, OFLA leave will commence.

If the employee's serious health condition is the result of an on-the-job injury or illness, the employee may qualify for workers' compensation time-loss benefits.

#### Benefits While on Leave

If an employee is on approved FMLA Leave, City will continue the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work.

If an employee is on approved OFLA Leave, City will continue the employee's health coverage under any "group health plan" through the end of the month in which the leave began. Employees wishing to maintain health insurance during a period of approved OFLA leave will be responsible for bearing the cost of coverage.

## **Job Protection**

Employees returning to work from Family Medical Leave will be reinstated to their former position. If the position has been eliminated, the employee may be reassigned to an available equivalent position. Reinstatement is not guaranteed if the position has been eliminated under circumstances where the law does not require reinstatement.

Employees are expected to promptly return to work when the circumstances requiring Family Medical Leave have been resolved, even if leave was originally approved for a longer period. With the exception of employees on leave as the result of an on-the-job injury or illness or otherwise required by law, reinstatement shall not be considered if the leave period exceeds the maximum allowed.

The use of Family Medical Leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Employees who work for other employers during a "serious health condition" leave may be subject to discipline up to and including termination. Additionally, all employees who use Family Medical Leave for reasons other than the reason for which leave had been granted may be subject to discipline up to and including termination.

## **Expression of Breast Milk**

Female employees breastfeeding a child 18 months or younger must use their regularly scheduled breaks for expression of breast milk. If the rest break schedule is not feasible, the employee is allowed a 30 minute unpaid break during each 4-hour work period or major part of a 4-hour work period for expression of breast milk; the break should be taken by the employee approximately in the middle of the work period.

## VI. EMPLOYEE-INCURRED EXPENSES AND REIMBURSEMENT

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The City will pay all actual and reasonable business-related expenses you incur in the performance of your job responsibilities. All such expenses incurred must be pre-approved by your manager before reimbursement will be made.

Expense reports must be supported by evidence of proof of purchase, e.g., receipts, and are to be submitted **within one month** of the expense being incurred or the employee risks forfeiting their payment or reimbursement. Meal receipts must denote for whom the meal was purchased and the purpose of the meeting. Employees, not receiving a City cell phone stipend, are allowed one personal phone call at the City's expense each night they are away.

### A. Mileage Reimbursement

Employees will be reimbursed for authorized use of their personal vehicles at a rate, consistent with the GSA rate for authorized personal vehicles, found at [www.gsa.gov/mileage](http://www.gsa.gov/mileage). Other related expenditures (e.g., parking) are also reimbursed upon submission of receipts on an expense report.

Any traffic citations- including parking tickets, court-ordered fees, and attorney fees - are the responsibility of the employee and will not be reimbursed by the City.

### B. Educational Workshop Travel & Meal Reimbursement Policy

The City encourages employees to avail themselves of training and educational opportunities in support of their functions on behalf of the City. The following guidelines apply with respect to registration, travel, accommodation, meal and other approved expenses in connection with seminars, workshops, or other educational events attended by the employee at the request of the City, approved by the City, or that are authorized by the Department Director as mandatory training programs.

#### **Registration/Accommodation**

- The City will pay employee registration fees and charges for accommodation at the single room rate. If a spouse/significant other accompanies an employee, the City will not be responsible for their additional registration and accommodation costs.

## Travel

- The City will pay for the cost of travel by employees to approved training and educational workshops and seminars, using GSA mileage rates for auto travel and actual coach class airfare for airline travel. Spouses/significant others may accompany employees to these events but the City will not be responsible for any of their associated travel or accommodation costs.

## Meals

- The City will reimburse employees on a per diem basis for meals and incidental expenses associated with attendance at events/activities as a City representative. Per diem rates are found by connecting to the website [www.gsa.gov/perdiem](http://www.gsa.gov/perdiem) and choosing the destination for the event/activity. No receipts are required.
- Meals provided at the event/activity which are eaten by the traveler, would be deducted from the per diem using the M&EI breakdown on [www.gsa.gov/perdiem](http://www.gsa.gov/perdiem).
- The City will not usually pay for meals of spouses/significant others, unless the meal is associated with a City group function where the attendance of the employee is required and it is appropriate to bring a spouse/significant other.
- The City will not pay for the consumption of alcoholic beverages.

*\*If you are uncertain as to whether a planned expense is reasonable; whether a meal is covered and/or will be reimbursed; whether an employee guest's meal is "associated" and reimbursable; or whether an alcoholic beverage is incidental to a group function, you are expected to broach this uncertainty with the event coordinator or activity representative at the time such uncertainty arises.*

## Attendance

- If the City is paying registration, travel, meals, and accommodation costs for attendance at the workshop, seminar, conference etc., employees are expected to attend scheduled work sessions and related activities and take advantage of the opportunity to learn in both formal and informal settings.
- Employees are encouraged to report back on their learning experience for the benefit and development of other staff.



## VII. PERFORMANCE MANAGEMENT AND APPRAISAL

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To ensure a meaningful performance evaluation system upon which the City can monitor the effectiveness of our organization and its operations, employees typically receive annual performance evaluations.

The objectives of our annual performance management and formal appraisal process are:

- To ensure that each person in our organization knows how he/she is performing against established performance standards;
- To ensure communication and two-way feedback;
- To provide a consistent, objective, and fair method for making compensation decisions where applicable;
- To identify areas where an employee may need more training;
- To identify strengths and areas the employee is excelling;
- To provide a tool for career planning; and,
- To provide a record of employee performance and contributions.

The performance appraisal program is intended to be participatory, involving your input as much as that of your manager, thereby helping you to contribute to the growth and improvement of the City. You are encouraged to:

- Inquire about your performance from time to time;
- Accept additional responsibilities and show initiative;
- Review opportunities for advancement within the organization;
- Ask for assistance in developing a goal-oriented path for advancement; and,
- Learn about training available to assist you in improving your skills.

Performance evaluations serve as one factor in decisions related to employment, such as training, merit pay increases, job assignments, employee development, promotions, and retention. Written reports identify specific performance levels, acknowledge the merit of above standard performance, and prescribe the means and methods for correcting performance deficiencies to the required level of performance.

## VIII. CORRECTIVE ACTION

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Employees are expected to perform to the best of their abilities at all times. To assist employees, Managers are responsible to ensure a positive work environment and to provide mentoring, coaching, and training. There may be occasions, however, where employees perform at an unsatisfactory level, violate a policy or law, or commit an act that is inappropriate. When performance or conduct does not meet City standards, the City will endeavor, when it deems appropriate, to provide the employee a reasonable opportunity to correct the deficiency. This can be accomplished through forms of discipline short of termination, such as verbal warnings, written warnings, suspensions without pay, and demotions (in no particular order). The corrective action process will not always commence with a verbal counseling or include a sequence or steps. Some acts, particularly those that are intentional or serious, warrant more severe action (including termination) on the first or subsequent offense.

In lieu of terminating employment of an employee for serious violations of City policies, procedures and rules and for other inappropriate behavior or conduct, the City may choose to provide the employee a final opportunity to continue employment in the form of a last-chance agreement. The employee may receive discipline in connection with a last-chance agreement.

The City will determine the nature and extent of any discipline based upon the circumstances of each individual case (except in cases where the employee is covered by a Collective Bargaining Agreement and is subject to the discipline specified there). Thus, the City may proceed directly to a written warning, demotion, or termination for misconduct or performance deficiency, without any prior disciplinary steps, when the City deems such action appropriate. At all times, the City retains the right to terminate any employee's employment at any time and for any reason, with or without advance notice or other prior disciplinary action.

## IX. FRAUD, THEFT, DISCRIMINATION AND RETALIATION

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All employees of the City have the responsibility to follow and carry out the policies outlined in this section. Management provides and supports a dispute resolution procedure for receiving and resolving complaints alleging discriminatory practices in employment relations. If you believe you have been discriminated against or harassed, if you witness or suspect any violation of our policies, or if you receive credible information about harassing or discriminatory conduct, you must report the matter immediately to any member of management or to Human Resources. Employees who believe they have been retaliated against, or who have witnessed or are aware of unlawful retaliatory conduct, must report the matter immediately to any member of management or Human Resources.

The City of Klamath Falls Whistleblower Hotline is available in those situations where the employee does not feel able to report the situation to a member of management or HR. Please note, however, that anonymous complaints may not be sufficiently specific for the City to investigate and/or take action in response. Employees are encouraged to speak with a member of management or Human Resources whenever possible, to ensure a fair and thorough investigation.

### **Responsibility to Report Known and Suspected Fraud or Theft, Discrimination, Retaliation and Harassment**

Each employee is required to report any known or suspected fraud or theft, discrimination, retaliation or harassment to the employee's supervisor, Compliance Officer or Ethics Officer, as applicable. If the employee does not report to the Compliance Officer or Ethics Officer, the supervisor is required to report suspected fraud or theft, discrimination, retaliation and harassment conduct, including reports from other employees or individuals, to the Compliance Officer or Ethics Officer, as applicable.

The Compliance Officer is the Support Services Director, subject to the authority of the City Manager to appoint a replacement. The Ethics Officer is the City Attorney, subject to the authority of the City Manager to appoint a replacement.

Each elected official is required to report any known or suspected fraud or theft, discrimination, retaliation, and harassment to the Compliance Officer or the City Manager.

The supervisor does not have the authority to determine the merits of a report of known or suspected fraud or theft, discrimination, retaliation and harassment; only the Compliance Officer makes this determination.

If the complaint is in regard to an alleged violation of these policies by the Compliance Officer, the complaint may be directed to the City Manager. To the extent possible, the identity of an employee or complainant will be protected to the full extent allowed by law. The City will not retaliate against you for filing a complaint or cooperating in an investigation, and will not tolerate or permit retaliation by management, employees or co-worker.

## **Disciplinary Action**

Failure to comply with any part of this policy is grounds for disciplinary action, which may include immediate termination. An employee who has engaged in any form of fraud or theft, discrimination, retaliation, or harassment; suspects or discovers such activity and fails to report his or her suspicions as required by this policy; or intentionally reports false or misleading information, is subject to disciplinary action, which may include termination.

Any supervisor who does not submit to the Compliance Officer each and every report of suspected fraud or theft, discrimination, retaliation, or harassment made by an employee or other person is subject to disciplinary action, including immediate termination.

### **A. Equal Employment Opportunities**

The City is an equal opportunity employer, and as such, we consider individuals for employment according to their abilities and performance. Employment decisions are made without regard to age, disability, race, color, national origin, religion, sex, sexual orientation, genetic information, military status, association with members of a protected class, marital status, injured worker status, non-supervisory family relationships, or any other protected class recognized under Oregon or federal law. Oregon state government, along with cities, counties and local service districts, provide qualifying veterans and disabled veterans with preference in employment in accordance with Oregon law.

### **B. Americans with Disabilities Act**

The Americans with Disabilities Act (ADA) is a comprehensive federal civil rights law that specifically protects individuals with physical and mental disabilities. Individuals still need to be “qualified” for the job, and not pose a “direct threat.”

The City offers equal employment opportunities for qualified individuals who may have a physical or mental disability, but are still able to perform the essential functions of the job. Essential functions are defined as the fundamental non-marginal duties of the position being held or sought by a disabled individual. A job function is essential if the position exists for the performance of the function, there are only a limited number of employees available to perform it, or the function is so highly specialized that an expert must be specially hired to perform it.

Reasonable accommodation may be available to employees and applicants, as long as the accommodation doesn't cause undue hardship for the City. Individuals protected by the ADA should discuss their need for possible accommodation with their manager and a Human Resources representative.

## C. Harassment

### **Harassment**

The City prohibits harassment based on disability, race, color, national origin, religion, sex, sexual orientation, veterans status, military status, retaliation for opposing unlawful employment practices, association with members of a protected class, marital status, injured worker status, non-supervisory family relationships, or any other protected class category recognized under local, Oregon, or federal law, regardless of whether that harassment is targeted specifically at the employee.

Behavior such as telling ethnic jokes, making religious slurs, using offensive "slang" or other derogatory terms denoting a person's speech, accent or disability, are examples of prohibited conduct and will not be tolerated at the City.

### **Sexual Harassment**

Sexual harassment can include, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or non-verbal communication or physical conduct of a sexual nature where:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
- Submission or rejection of such conduct by an individual influences any employment-related decisions affecting the individual; or
- The conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

The conduct prohibited may be verbal, visual or physical in nature. It may be directed by a manager to a subordinate, manager-to-manager or co-worker-to-co-worker. It includes unwelcome sexual advances, requests for sexual favors, physical touching, or the granting or withholding of benefits (e.g. pay, promotions, time off) in response to the sexual conduct. More subtle forms of prohibited behavior, such as offensive posters, cartoons, caricatures, comments and jokes, language or innuendoes, hugging, or kissing may also constitute sexual harassment when they create or contribute to a hostile or offensive work environment.

## **Bullying**

Bullying is repeated and unreasonable behavior intended to intimidate or humiliate the targeted individual or group. That risk can be physical or mental or unreasonably interfere with work performance.

Bullying includes verbal abuse such as yelling and swearing; nonverbal abuse such as glaring or refusing to communicate; making fun of personal beliefs, clothing, appearance, weight, hobbies, food choices; placing blame or discrediting, false accusations; name calling; practical jokes directed at one person; malicious gossip; sabotage; encouraging others to exclude or turn against target; and threats of any kind. Bullying can be by employees to another employee through collective behavior to target the employee or misusing a grievance or complaint procedure.

Bullying can be by managers to employees. Conduct from managers that is unacceptable include physical contact with an employee unless you can provide a good explanation, calling employees name or using profanity at employees, and disciplining an employee in public unless you can provide a good explanation.

## **Reporting Harassment or Bullying**

Please see "Responsibility to Report Known and Suspected Fraud or Theft, Discrimination, Retaliation and Harassment," above.

## **D. Religious Observances Leave and Accommodation Policy**

The City respects the religious beliefs and practices of all employees. The City will make, upon request, an accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship on the City's business. Employees may use vacation or unpaid time for religious holy days or to participate in a religious observance or practice; if accrued leave is not available, then an employee may request to take unpaid leave.

## **E. Fraud and Theft**

The City does not tolerate any type of fraud or theft. The City's policy is to promote ethical organizational behavior by:

- assigning responsibility for reporting fraud and theft;
- providing guidelines to conduct investigations of suspected or known fraud or theft; and
- requiring each employee to attend fraud awareness training.

Failure to comply with this policy subjects an employee to disciplinary action, which may include immediate termination. The City will pursue criminal prosecution if the results of an investigation indicate criminal activity.

Fraud or fraudulent means an intentional deception designed to obtain a benefit or advantage or to cause denial of some benefit that is lawfully due. Examples of fraud include:

- Forgery or alteration of a check, bank draft, or any other financial document;
- Theft of a check or other diversion of a payment made to the City;
- Improper or dishonest handling of funds, supplies, or other assets;
- Improper handling or reporting of financial transactions;
- Profiteering as a result of insider knowledge of City operations; and
- Selling or using confidential City information in the conduct of an outside business activity.

Theft means the act of taking something from someone unlawfully. An example of theft is taking equipment or supplies belonging to the City and keeping it for personal use.

Each employee is required to attend at least one session of Fraud Awareness Training every three years. Those in financial positions must have a refresher course each year.

### **Reporting Theft or Fraud**

Please see "Responsibility to Report Known and Suspected Fraud or Theft, Discrimination, Retaliation and Harassment," above.

### **F. Retaliation**

The City will not tolerate unlawful retaliation against employees for engaging in protected activity. Federal Laws such as Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, and the American with Disabilities Act, all prohibit an employer from retaliating against an employee engaged in a protected activity.

Retaliation occurs when an employer, employment agency, or labor organization takes an **adverse action** against a **covered individual** because he or she engaged in a **protected activity**. More detailed information can be found at <http://www.eeoc.gov/laws/types/facts-retal.cfm>

A protected activity is defined to include: opposing an unlawful practice prohibited by employment discrimination laws, or participating in any way in an investigation, proceeding, or hearing of an Equal Employment Opportunity charge.

Any act of retaliation by a manager and/or coworker may result in serious adverse disciplinary action up to and including termination.

Please see "Responsibility to Report Known and Suspected Fraud or Theft, Discrimination, Retaliation and Harassment," above.

## X. COMMUNICATIONS AND SOFTWARE SYSTEMS

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### A. Use of Organization Email and Electronic Equipment, Facilities and Services

City of Klamath Falls uses multiple types of electronic equipment, facilities and services for producing documents, research and communication including, but not limited to, computers, software, e-mail, copiers, telephones, voicemail, fax machines, online services, cell phones (including text messaging), the Internet and any new technologies used in the future. This policy governs the use of such City property.

#### **Ownership**

All information and communications in any format, stored by any means on or received via City's electronic equipment, facilities or services is the sole property of City.

#### **Use**

All of City's electronic equipment, facilities and services are provided and intended for City business purposes only and not for personal matters, communications or entertainment. Access to the Internet, web sites and other electronic services paid for by City are to be used primarily for City business. This means, for example, that employees may not use the City-provided Internet, or City electronic equipment, facilities and services to:

- Display or store any sexually explicit images or documents, or any images or documents that would violate City's no-harassment and no-discrimination policies;
- Participate in social media games or technology supported games;
- Engage in any activity that violates the rights of any person or company protected by copyright, trade secrets, patent or other intellectual property (or similar laws or regulations);
- Engage in any activity that violates the rights to privacy of protected healthcare information or other City-specific confidential information;
- Engage in any activity that would introduce malicious software purposefully into a workstation or network (e.g., viruses, worms, Trojan horses).
- Download or view streaming video for personal use. Streaming audio is allowed, providing it does not contain explicit material, adversely affect network speed, or interfere with others' ability to work.



Incidental use of City resources to access the internet is allowed during breaks and lunch may be allowed at the discretion of the employee's supervisor. Further, employees may not use City-provided email addresses to create or manage personal accounts (e.g., shopping websites, personal bank accounts, and social media accounts). City email addresses for professional-based social media accounts such as LinkedIn may be allowed with the approval of the employee's supervisor.

### **Inspection and Monitoring**

Employee communications, both business and personal, made using City electronic equipment, facilities, and services are not private. Any data created, received or transmitted using City equipment, facilities or services are the property of City and usually can be recovered even though deleted by the user.

All information and communications in any format, stored by any means on City's electronic equipment, facilities or services, are subject to inspection at any time without notice. Personal passwords may be used for purposes of security, but the use of a personal password does not affect City's ownership of the electronic information, electronic equipment, facilities, or services, or City's right to inspect such information. City reserves the right to access and review electronic files, documents, archived material, messages, email, voicemail and other such material to monitor the use of all of City's electronic equipment, facilities and services, including all communications and internet usage and resources visited. City will override all personal passwords if it becomes necessary to do so for any reason.

### **Personal Hardware and Software**

Employees may not install personal hardware and software on City's computer systems without approval from Information Technology and the supervisor. All software installed on City's computer systems must be licensed. Copying or transferring of City-owned software may be done only with the written authorization of Information Technology.

### **Unauthorized Access**

Employees are not permitted unauthorized access to the electronic communications of other employees or third parties unless directed to do so by City management. No employee can examine, change or use another person's files, output or user name unless they have explicit authorization from Human Resources to do so.

### **Security**

Many forms of electronic communication are not secure. Employees who use cell phones, cordless phones, fax communications or email sent over the Internet should be aware that such forms of communication are subject to interception and these methods of communicating

should not be used for privileged, confidential, or sensitive information unless appropriate encryption measures are implemented.

### **Inappropriate Web Sites**

City's electronic equipment, facilities or services must not be used to visit Internet sites that contain obscene, hateful or other objectionable materials, or that would otherwise violate City's policies on harassment and discrimination.

## **B. Cell Phone/Smart Phone Usage**

This policy applies to employee use of cell phones, smart phones (including iPhones, Androids, BlackBerries, and similar devices), PDAs, and similar telecommunication devices, all of which are referred to as "cell phones" in the Cell Phone/Smart Phone Usage Policy. This policy applies to cell phones and is in addition to Section X (A) entitled "Use of Organization Email and Electronic Equipment, Facilities and Services."

### **Cell Phones in General (both City-provided and personal cell phones)**

Employees are allowed to bring personal cell phones to work with them. During working hours, however, employees should refrain from using them except in an emergency or during a meal period or rest break.

Employees who use personal or City-provided cell phones may not violate City's policies against harassment and discrimination. Thus, employees who use a personal or City-provided cell phone to send a text or instant message to another employee (or to a citizen or someone not employed by the City) that is harassing or otherwise in violation of City's no-harassment and no-discrimination policies will be subject to discipline up to and including termination.

Nonexempt employees may not use their personal or City-provided cell phone for work purposes outside of their normal work schedule without written authorization in advance from management except for on call and emergency situations. This includes, but is not limited to, reviewing, sending and responding to emails or text messages, and responding to calls or making calls. Employees who violate this policy may be subject to discipline, up to and including termination.

### **Employee Use of City-Provided Cell Phones**

Cell phones may be made available to City employees on a limited basis to conduct City's business. Determinations as to which employees receive City-provided cell phones will be made on a case-by-case basis approved by the department director and documented by Human Resources; employees are not guaranteed a cell phone. City may provide a monthly cellular telephone allowance to employees who regularly make calls on behalf of the City away from the office.

Employees who receive a cell phone from City must agree to not use the cell phone for personal use except in emergency situations and must abide by all aspects of the Cell Phone/Smart Phone Usage Policy (including those policies applicable to personal cell phone use). Further, employees who receive a cell phone from City must acknowledge and understand that because the cell phone is paid for and provided by City, or subsidized by City, any communications (including text messages) received by or sent from the cell phone may be subject to inspection and review if City has reasonable grounds to believe that the employee's use of the cell phone violates any aspect of the Cell Phone/Smart Phone Usage Policy or any other City policy.

For those employees who receive a cell phone from the City, the City may use software or programs to track cell phone usage to include calls, texts, email or internet. If such software is available, the City may monitor periodically.

Employees may not use City-provided cell phones to call 1-900, 1-976 or similar "pay per minute" services. Further, family and friends may not use an employee's City-provided cell phones.

### **Cell Phones and Public Records**

Keep in mind, City-related business conducted on City-provided or personal cell phones, may be subject to disclosure under Oregon's Public Records laws.

### **Operational Safety**

Use of any cell phone at any time should be done in a safe, common sense manner.

#### **C. Social Media**

For purposes of this policy, "social media" includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with City, as well as any other form of electronic communication.

Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of co-workers, or otherwise adversely affects our members or people who work on behalf of City or City's legitimate business interests may result in disciplinary action up to and including termination.

## **Prohibited Postings**

Employees will be subject to discipline, up to and including termination, if they create and post any text, images or other media that violate City's no-harassment and no-discrimination policies and that include discriminatory remarks, harassment, or threats of violence or similar inappropriate or unlawful conduct.

Do not create a link from your blog, website or other social networking site to a City-owned or City-maintained website without identifying yourself as a City employee.

Express only your personal opinions. Never represent yourself as a spokesperson for City. If City is a subject of the content you are creating, be clear and open about the fact that you are a City employee, and make it clear that your views do not represent those of City or its employees or elected officials.

## **Encouraged Conduct**

Always be fair and courteous to co-workers, the citizens we serve, City's employees and elected officials, and suppliers or other third parties who do business with City. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers or by utilizing our Open Door Policy than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage citizens, co-workers, City employees or elected officials, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or City policy.

Maintain the confidentiality of City's confidential information. Do not post internal reports, policies, procedures or other internal, City-related confidential communications or information. (See "Workplace Privacy and Confidentiality" policy, below.)

## XI.WORKPLACE PRIVACY AND CONFIDENTIALITY

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The City recognizes our employees' right to privacy. In achieving this goal, the City adopts these basic principles:

1. The collection of employee information typically is limited to information the City needs for business and legal purposes.
2. Personal information and information in confidential records ordinarily will not be disclosed, except as permitted or required by law, or as authorized by the employee.
3. Verifications of employment dates, job title, and wages may be provided without written approval.
4. Internal access to employee records will be limited to those employees having an authorized need-to-know.
5. You are permitted to review your personnel file and you may correct inaccurate factual information or submit written comments in disagreement with any material contained in your personnel records.
6. All employees have a responsibility not to disclose information about employees through overheard conversations, mislaid documentation, and faxes, e-mails and hard copies of correspondence sent to a wrong destination. Unauthorized communication of confidential information is regarded as a serious matter.
7. The City's IT Department maintains reasonable safeguards to ensure the security, confidentiality, and integrity of personal identifying information stored in the City's systems.
8. All employees are required to follow these principles, as well as any other City policy or practice related to confidential information. Violations of this may result in corrective action, up to and including termination.

### Change in Personal Data

Since personnel records are used to administer pay and benefits, and other employment decisions, employees are responsible for keeping information current regarding changes in name, address, phone number, exemptions, dependents, beneficiary, etc. Keeping your personnel records current can be important to you with regard to pay, deductions, benefits and other matters. If you have changes in any of the following items, please notify the HR Representative (in the near future you will be able to do this online without HR assistance) to assure that the proper updates/paperwork are completed as quickly as possible:

- Name
- Marital status/Domestic Partnership (for purposes of benefit eligibility determination only)
- Address
- Telephone number
- Dependents
- Person to be notified in case of emergency
- Other information having a bearing on your employment
- Tax withholding

## **Communications**

Conversations: Please be careful when discussing confidential information about employees in public areas, where it might be overheard; or when talking on the telephone.

Written information: Please use care not to leave written information about employees where unauthorized persons can view it. This includes leaving confidential documents sitting in printer trays or placing such documents in open recycling bins. Please send internal "mail" in sealed envelopes, marked "confidential." For purposes of this policy, "Confidential Information" includes, but is not limited to: client or employee financial, medical or personal information (including, without limitation, Social Security numbers),

## **Records Retention**

Please refer to the Oregon Secretary of State website for the most up to date records retention schedules. The web site can be found at: the following link:

[http://arcweb.sos.state.or.us/pages/rules/oars\\_100/oar\\_166/166\\_200.html](http://arcweb.sos.state.or.us/pages/rules/oars_100/oar_166/166_200.html) or call the City Recorder's office for more information.

## **All Shred Policy**

The City has adopted an organizational policy of "all shred", which means that all paper documents no longer needed for business use, regardless of content, are shredded rather than thrown in the trash or recycle can. This strengthens City's information privacy and confidentiality policies and procedures around the disposal of confidential information.

## XII. EMPLOYEE HEALTH AND SAFETY

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The City is committed to providing our employees with a safe and healthy work environment. To accomplish this goal, both management and employees must diligently undertake efforts to promote safety. Safety is everybody's responsibility!

The City, through its Risk Management Committee, develops and implements safety rules and regulations contained in the General Safety Rules. To the extent that this Employee Handbook conflicts with the General Safety Rules, this Employee Handbook's provisions shall prevail.

The General Safety Rules reside on the intranet [www.ci.klamath-falls.or.us](http://www.ci.klamath-falls.or.us) and is accessible to all city employees. This process is ongoing and requires periodic safety audits. Safety audits are undertaken to determine the necessity and feasibility of providing devices or safeguards to make the workplace safe and healthful. The City will educate employees as to hazards of the workplace and train employees as to such hazards and the proper and safe method to perform job tasks.

You are expected to give your full-time skill and attention to the performance of your job responsibilities utilizing the highest standard of care and good judgment. You are also expected to follow all safety rules and regulations at all times including the use of protective clothing and equipment, attendance at all training sessions related to your job, and follow the directions of warning signs or signals and/or directions of supervisory personnel.

Safety rules and regulations may be issued or modified from time to time; notice of these changes typically are communicated via company email.

### A. Drug-Free Workplace

The City is committed to maintaining a drug-free workplace in the interests of good business practices that provide a productive, safe, and healthy working environment for all employees.

Any unlawful manufacture, distribution, dispensing, possession, use, or being under the influence of illegal drugs or other controlled substances on city time, premises, employee premises, or while operating a vehicle/machinery on the job is strictly prohibited. Marijuana is considered a federal schedule 1 controlled substance that is illegal to possess or use under federal law and the City considers marijuana an illegal drug for the workplace. In addition, any unauthorized possession or use of alcoholic beverages on the job is prohibited.

Employees undergoing prescribed medical treatment with a prescription drug or over-the-counter medication that will impair behavior or work performance, should report such fact to his/her supervisor. The employee is not required to inform the supervisor what medication(s) he/she is taking. The City has the right to reassign duties or to place an employee on

temporary leave of absence if the employee is unable to properly and safely perform his or her duties. In the event an employee needs to take a prescription drug or over-the-counter medication while at work, he or she should keep the medication in its original container so that it can be properly identified.

The City may use drug or alcohol testing as part of its investigation of an altercation, accident, (or near-miss incident), employee's irrational/inappropriate behavior, or on-the-job driving under the influence (DUI) as provided by law. The City may search City property as part of investigation as provided by law. Employees are required to cooperate with any and all tests required by this policy. Employees may not, for example, tamper with, or attempt to tamper with, a specimen sample using chemicals or other ingredients to mask or otherwise cover up the presence of metabolites, drugs or alcohol in a specimen, or providing a blood or urine specimen that was produced by anyone or anything other than the employee being tested.

Supervisors are responsible for taking appropriate action if the supervisor observes or receives notice that the employee may have violated a drug-free workplace such as obtaining the drug and alcohol testing.

If the circumstances indicate that there was a violation of the drug-free workplace policy, the City requires that an EAP professional design an appropriate rehabilitation program to treat the employee. Employees must sign the City's return to work agreement that includes random testing for up to 24 months as a condition of continued employment.

In the event an employee encounters work or personal problems related to his/her use of alcoholic beverages, drugs, or other controlled substances, he/she is encouraged to seek appropriate medical care or counseling. The Human Resources Representative has information on substance abuse treatment programs. Information or referral will be provided on a confidential basis to our Employee Assistance Program (EAP) if requested by the employee, or as directed by a manager. The City has group insurance benefits that provide coverage for certain medical services related to drug or alcohol dependency treatment.

## B. Smoking in the Workplace

The City complies with all laws prohibiting smoking in or within 10 feet of entrances, exits, air-intake vents of any indoor workplace or public buildings. The City believes that smoking is a danger to health and is a cause of material annoyance and discomfort to those who are present. As a result, smoking is prohibited anywhere on the premises, except for designated smoking locations.

## C. Workplace Violence

The City recognizes the importance of a safe workplace for employees, citizens, customers, vendors, contractors, and the general public. A work environment that is safe and comfortable



enhances employee satisfaction as well as productivity. Therefore, threats and acts of violence made by an employee or the public against another person's life, health, well-being, family, or property will be dealt with in a zero tolerance manner by the City.

Should, situations occur which present a risk of harm to employees and others, all employees have an obligation to report any incidents that pose a risk of harm to employees or others associated with the City or which threaten the safety, security or financial interests of our organization. Employees should make such reports directly to the Supervisor/ Department Director and Human Resources. More detailed information is in the City's General Safety Rules.

All information related to the reports, including the name of the reporting employees, will be kept as confidential as possible under the circumstances. Human Resources will notify the reporting employee of any action taken in response to the report.

The City may conduct an investigation of a current employee where the employee's behavior raises concerns about work performance, reliability, honesty, or potentially threatens the safety of co-workers or others. An employee investigation may include investigation of criminal records; it may also include a search of desks, work areas, file cabinets, voice mail systems and computer systems.

#### D. Driving While on Business

Employees using a private vehicle to conduct city business must possess a valid driver's license and must carry auto liability insurance. Employees who use their own vehicles for authorized business use should make any necessary arrangements with their insurance carriers.

The City may verify the validity of your driver's license and/or your driving record. Once you are employed with the City, we will receive automated reports from the Department of Motor Vehicles (DMV). The reports notify the City when there are transactions on your driving record.

While on city business, drivers are expected to make every reasonable effort to operate their vehicle safely, with due regard for potential hazards, weather, and road conditions. Drivers are to obey all traffic laws, posted signs and signals, and requirements applicable to the vehicle being operated. Seatbelts are to be used in all vehicles while on business. Employees are prohibited from using hand-held cell phones for any purpose while driving on City-authorized or City-related business. This policy also prohibits employees from using a cell phone or other device to send or receive text or "instant" messages while driving on City business. Should an employee need to make a business call while driving, the employee must locate a lawfully designated area to park and make the call. Employees may use hands-free cell phones or devices to make business calls. Such calls should be kept short and should the circumstances warrant (for example, heavy traffic, bad weather), the employee should locate a lawfully designated area to park to continue or make the call, even if the employee is using a hands-free device.

Drivers are to ensure that the use of prescribed or over the counter drugs does not interfere with their ability to drive while on business; operating a vehicle under the influence of alcohol or controlled substances is prohibited. Employees are responsible for notifying their manager of any subsequent restrictions, limitations, or other change in their driving status as soon as possible.

Employees who drive City-owned vehicles at any time should have no expectation of privacy while using or driving the vehicle.

## XIII. SEPARATION FROM EMPLOYMENT

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### A. Resignation or Retirement

While an employee may resign or retire at any time, a one-week notice (employees with less than one year) / two-week notice (employees with over one year of service) is customary. When giving your notice, vacation and sick days should not be used in lieu of notice. If you do not give notice of your intent to leave the City as discussed above, you will not be eligible for re-employment at a later date. The resignation or retirement should be written and should indicate the anticipated last day of work as well as reasons for the resignation; the employee may only withdraw a resignation at the discretion of the City.

Employees who miss three or more consecutive work days without contacting the City are typically considered to have voluntarily terminated their employment.

### B. Exit Interview

An exit interview may be scheduled with Human Resources, when an employee leaves the City. This gives the departing employee an opportunity to offer constructive feedback, positive comments, or address any unresolved issues prior to leaving. This also allows the City to solicit the employee's candid opinions, as well as suggestions, for improvement at the City. We encourage departing employees to participate in an exit interview when they separate from employment, and we value all opinions and suggestions received throughout this process.

Prior to the last day of employment, the exiting employee will be provided with information to help ease the transition, such as, benefit continuation rights and responsibilities, and final paycheck information.

### C. Return of City Property

The employee must return all city property in possession by the last day of employment. City of Klamath Falls property includes credit cards, keys, ID cards, cellular phones, pagers, tools, software, computer disks, and any other items belonging to the City.

## XIV. CONCLUDING THOUGHTS

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We look forward to your participation on our team. The success of our organization depends on the cooperation and contribution of each one of us. We want to continue to provide a workplace that is professional, healthy and conducive to a positive work environment. Please join the City of Klamath Falls Team in continuing this positive tradition.

## XV. ACKNOWLEDGEMENT OF RECEIPT OF THE CITY OF KLAMATH FALLS' EMPLOYEE HANDBOOK

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Each employee is expected to acknowledge the receipt of this handbook by signing an Acknowledgement of Receipt in the following form:

1. I have received a copy of the employee handbook; or I have viewed the Employee Handbook that is located on [www.ci.klamath-falls.or.us/HR /EeHandbook](http://www.ci.klamath-falls.or.us/HR/EeHandbook).
2. I understand that I am responsible for becoming and remaining familiar with the policies, procedures, requirements, and other information contained in both the handbook and on the City's intranet.
3. The policies, procedures, requirements, and other information contained in the handbook may be modified or deleted, and others may be added, at any time.
4. I understand that I will receive notice via email or other means of any significant change(s) in the employee handbook.
5. This handbook supersedes all prior statements of City of Klamath Falls which conflict or may conflict with it. I understand that any conflicting prior statement is superseded.
6. This handbook is not a contract. Neither the handbook's statements of City of Klamath Falls policies, procedures, requirements, and other information, nor any representations made by any management representative at the time of hire or at any time during employment, are to be interpreted as a contract between City of Klamath Falls and any employees, unless expressly so stated in writing signed by the City Manager.

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Employee Signature    Date

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Employee Name (Please Print)    Date